

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63245 of 2021**

Arising Out of PS. Case No.-73 Year-2021 Thana- FULKAHA District- Araria

RAMRUP SAH @ RAMRUP KR. SAH S/o Bishundeo Sah R/o village-
Chainpur Ward No. 1, P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 05-05-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 363, 366, 504 and 506 of the Indian Penal
Code.

The petitioner and others are said to have assaulted
the informant and ouster her from her house.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. In fact, the alleged
occurrence took place on 18.05.2021 whereas the F.I.R. has been
registered on 22.05.2021 after lapse of almost four days without
explaining the plausible delay which creates doubt over the
prosecution version. He further submits that the informant and



the petitioner were having love affairs and on account of that they performed marriage out of their sweet will and the victim has also sworn an affidavit in this regard on 02.05.2021 in which she has admitted the marriage and she has categorically stated that she has been leaving her life as husband and wife. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in custody since 30.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Fulkaha P.S. Case No. 73 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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